

REQUEST FOR COUNCIL ACTION

MEETING

DATE: 12-1-03

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AGENDA SECTION: CONTINUED - PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. E-6
ITEM DESCRIPTION: <i>General Development Plan #217 to be known as Oakridge Manor by Forbrook-Bigelow Development. The applicant is proposing to develop the property with commercial and single family residential uses (townhomes and single family detached dwellings). The plan also allows for a public roadway connection to Lakeridge Place NW. The applicant is also requesting approval of a Substantial Land Alteration to permit site grading that will modify grades by more than 10 feet on portions of the property and a Design Modification #03-18 to permit an access which does not meet spacing standards. The property is located along the south side of 7th Street NW and along the east side of West Circle Drive and north of Lake Street NW.</i>		PREPARED BY: Mitzi A. Baker, Senior Planner

November 19, 2003

NOTE: See CPZC minutes from previous ZC hearing

As requested by the applicant, this item was continued from the November 3, 2003 meeting to the December 1, 2003 meeting.

City Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission held a public hearing on this item on October 28, 2003. Ms. Rivas moved to recommend approval of **General Development Plan #217** to be known as Oakridge Manor by Forbrook-Bigelow Development and **Substantial Land Alteration** with the staff-recommended findings and seven conditions. Mr. Burke seconded the motion. The motion carried 7-0. The commission recommended the following conditions/modifications:

1. Application and receipt of the needed Design Modification to Section 64.224 Intersections;
2. Receipt of the requested exemption to the Substantial Land Alteration conditional use permit requirement;
3. Show existing or future access control provisions along the frontage of 7th Street NW from Lakeridge Place NW west to Circle Drive. Show the first permitted driveway opening into the commercial area from Lakeridge Place meeting the standards of Section 64.143 (150 back from 7th Street).
4. Indicate on the plan the potential need for a right turn lane on 7th Street NW into Lakeridge Place NW;
5. Move the median island in the private road serving the townhomes southerly to a point outside the public right of way for Lakeridge Place NW;
6. Show on the plan the required pedestrian facilities along the public roads;
7. Show specifically on the face of the plan in the proposed "commercial" area the final zoning district approved by the Council.

Design Modification:

After the Commission considered this application, the applicant filed a request for a Design Modification to address substandard roadway spacing. The applicant is requesting approval of a Design Modification to permit the access to the property in a location that does not meet access spacing requirements. As stated in the GDP report "circulation is improved for the adjacent properties by the public street connection of Lakeridge Place NW by providing an alternative access into the adjacent neighborhood. Although the Lakeridge Place/7th Street intersection is below recommended design offset standards, its location is supported by the various transportation departments as the best option available to provide access and improved traffic circulation." Standards in the LDM require the intersection of Lakeridge Place with 7th Street to be offset 200 feet from intersecting streets. In this case, the existing spacing between the existing streets on the north side of 7th Street is less than 400 feet. The offset is maximized by the proposed location of the intersection, but it is approximately between 43 and 55 feet closer than recommended. Transportation staff have considered this proposal and found it acceptable based on the circumstances. Staff recommends approval.

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

Council Action Needed:

1. *If the Council wishes to approve the **General Development Plan, Substantial Land Alteration AND Design Modification**, it should instruct the City Attorney to prepare a resolution, with findings, for Council approval.*

Distribution:

1. City Administrator
2. City Attorney
3. Planning Department File
4. McGhie & Betts, Inc.
5. Applicant: This item will be considered some time after 7:00 p.m. on Monday December 1, 2003 in the Council / Board Chambers in the Government Center at 151 4th Street SE.

October 21, 2003

Mr. Brent Svenby
Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

Re: Whispering Oaks
Rochester, Minnesota

Access Design Modification

Dear Mr. Svenby:

On behalf of our client, Bigelow Enterprises, I am requesting a design modification to the accessibility requirement to the property found at the southeast corner of West Circle Drive and 7th Street Northwest. The property is shown with the enclosed map.

The following reasons are given to support the request for the design modification as per section 64.146 and 64.400 of the Rochester L.D.M.:

1. The property is currently inaccessible due to the adjacent residential subdivisions that are found to the east and north of the site. Existing streets that service the subdivisions have been designed to accompany these subdivisions and not the forementioned property.
2. From the north, 34th Avenue Court Northwest does not align itself to the northern edge of the forementioned property. In order to simplify the design of the access road for said property, it is proposed that the access to said property be equidistant between 34th Avenue Court Northwest and West Circle Drive.

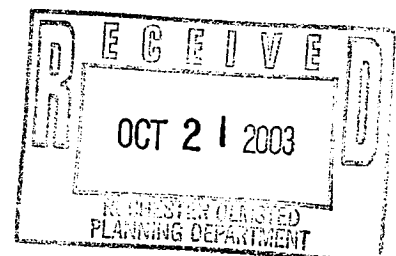
This alignment of the Lake Ridge Lane Northwest with 7th street Northwest has the support of Mike Nigbur and Charlie Rieter, Senior Transportation Planner. If you have any questions or need to additional information, please do not hesitate to call me.

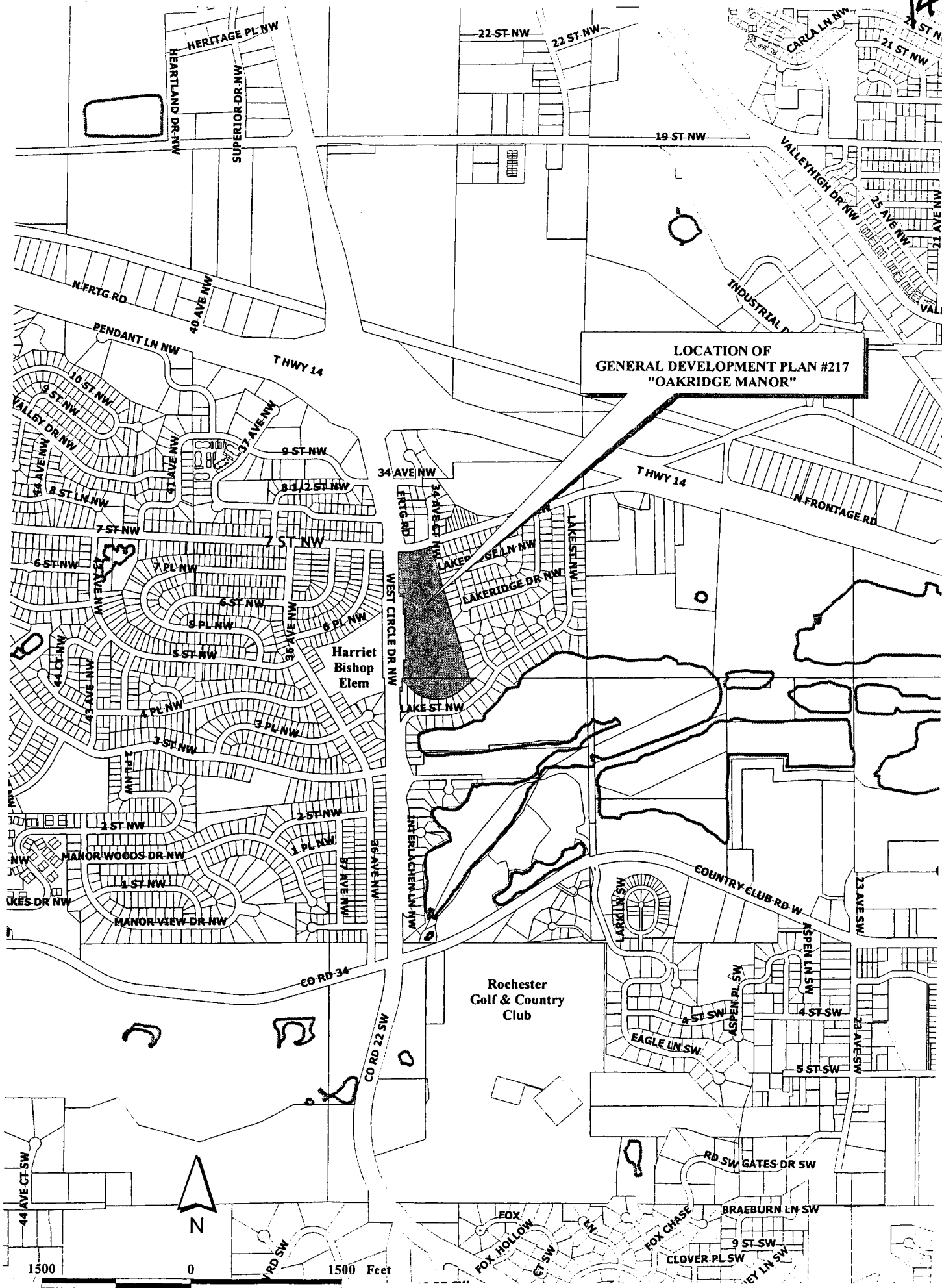
Sincerely,

Jeffrey Preuss
McGhie & Betts, Inc.

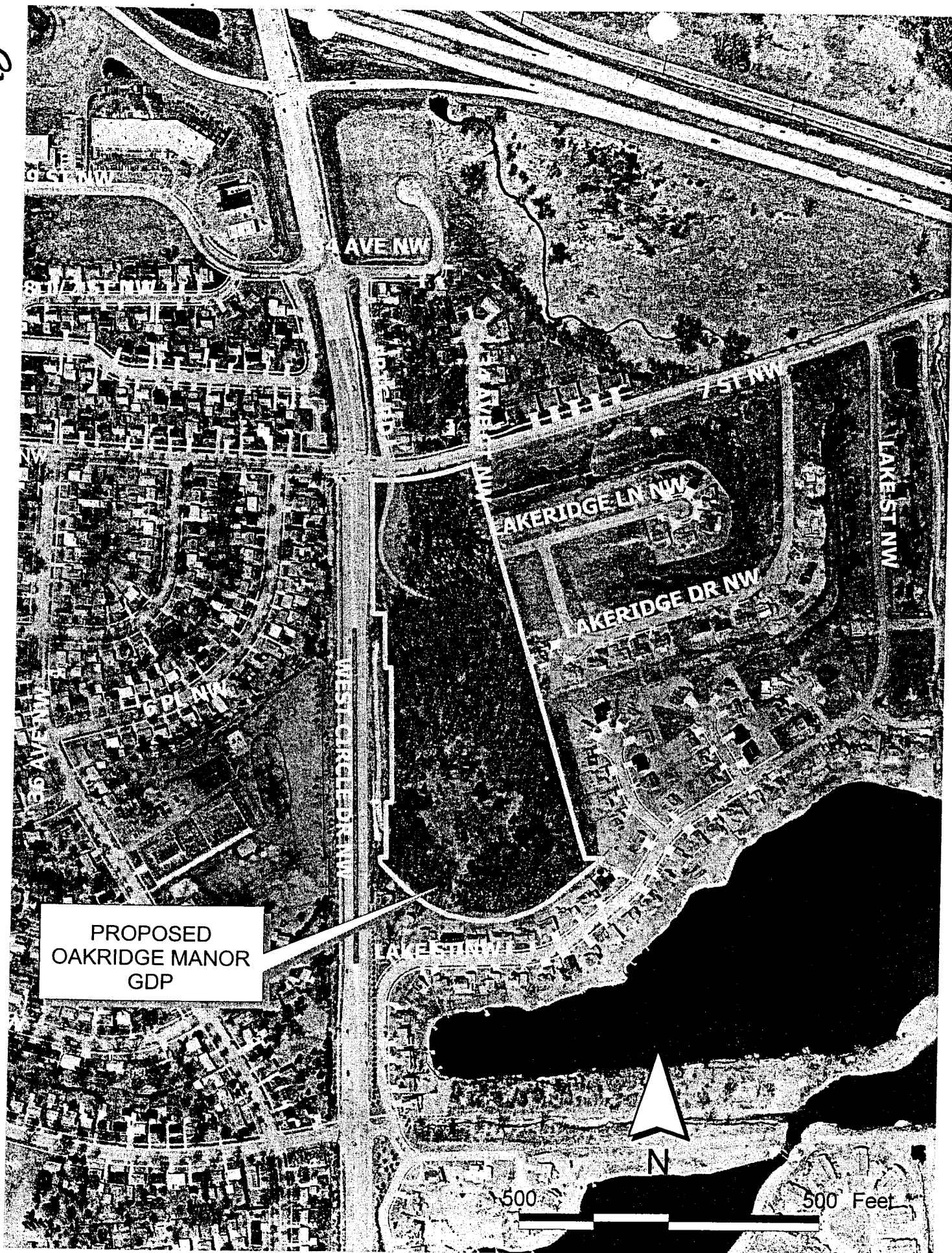
Enclosed:
Site plan

CC: Ward Opitz, Bigelow Enterprises
Chuck Forbrook





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PROPOSED
OAKRIDGE MANOR
GDP



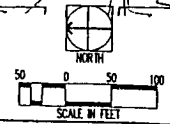
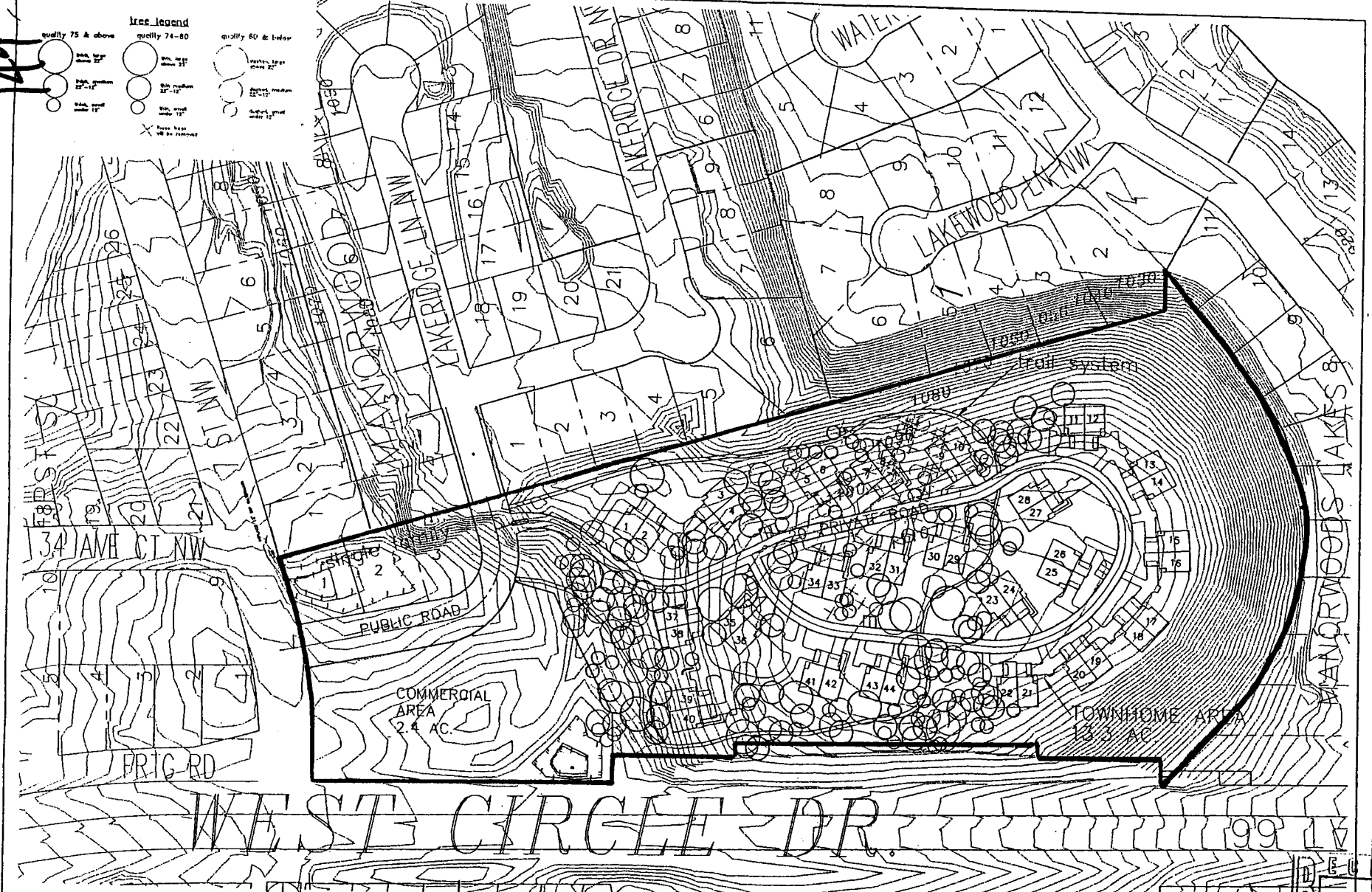
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Feet

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- tree legend**
- quality 75 & above
- 100' tall
 - 75' - 100'
 - 50' - 75'
 - 25' - 50'
 - 10' - 25'
- quality 74-80
- 100' tall
 - 75' - 100'
 - 50' - 75'
 - 25' - 50'
 - 10' - 25'
- quality 60 & below
- 100' tall
 - 75' - 100'
 - 50' - 75'
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- 100' tall
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McGraw-Hill	
BETTS, INC.	
1221 AVENUE OF THE STARS SUITE 200 ROCHESTER, MINNESOTA 55909	
TEL: (612) 338-2200 FAX: (612) 338-2201	

DATE: 09/10/2003
BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]

OAKRIDGE MANOR
GENERAL DEVELOPMENT PLAN
ROCHESTER, MINNESOTA

RECEIVED
SEP 10 2003

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ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF

Olmsted

www.olmstedcounty.com/planning



TO: City Planning and Zoning Commission

FROM: Jeff Ellerbusch, Senior Planner *JE*

DATE: October 1, 2003

RE: General Development Plan #217 to be known as "Oakridge Manor". The proposal is a mixture of residential and commercial land uses. The portion of the property with commercial land use would be developed for uses permitted in the proposed B-4 zoning district. The development also includes a potential "Substantial Land Alteration" the result of a grade change of 10 feet or more from existing conditions.

Planning Department Review:

Petitioner: Forbrook-Bigelow Development
706 County Road 3 NW
Byron, MN 55920

Location of Property: The property is located along the east side of West Circle Drive (CSAH 22) and south of 7th Street NW. The property in question is the wooded land across Circle Drive from the back of Harriet Bishop Elementary and just north of Lake Street NW. It has historically been the site of a single family home on the top of the hill with a driveway from 7th Street NW.

Proposed Use: The General Development Plan proposes a mixture of commercial use on 2.4 gross acres of the site and townhomes and single family detached dwellings on the remaining 14.6 acres. The plan does not indicate any specific commercial uses on the 2.4 acres at the corner of 7th Street NW and Circle Drive. The plan shows 3 single family home lots adjacent on the west to the new homes in Manorwood Lakes 3rd and 6th Subdivisions and a townhome development of 44 units



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in 2-unit one-family attached style (a density of 3.3 units per acre) on the upland majority of the site.

Land Use Plan:

The Rochester Urban Service Area Land Use Plan designates the southerly 2.43 acres of this property as "Medium Density Residential" and the remaining 14.57 acres "Low Density Residential". A land use plan amendment to re-designate the 2.4 acres in the northwest corner to "Commercial" has been filed for concurrent review with this GDP.

Zoning:

The property is currently all zoned R-1 (Mixed Single Family) District. The applicant is proposing to re-zone the northwest 2.4 acres to the B-4 (General Commercial) District and the southerly 13.32 acres to the R-1X (Mixed Single Family Extra) District. The 1.28 acres proposed for the 3 single family lots would remain zoned R-1.

Site Development Plan application(s) will be required in the future for the construction of the any commercial building. A Conditional Use Permit will also be required for the townhome (Performance Residential) portion of the development.

Streets:

This property is adjacent to West Circle Drive (CSAH 22), a designated "Expressway" (4-lane) along its entire west boundary and 7th Street NW, a classified 2-lane "Collector" along its entire northern boundary. Lakeridge Place NW, a "Local" residential street on a 56' wide ROW, was stubbed to the east property line of this parcel to provide an additional future route for the neighborhood to the east down to 7th Street.

This plan shows the 438.92 foot extension of Lakeridge Place NW through this property intersecting with 7th Street NW at a location approximately midway between the centerline intersections of 34th Ave Ct NW and the east Frontage Road for Circle Drive. This proposed intersection does not meet the standards of **Section 64.224 Intersections**. Section 64.224 states that the offset between intersecting streets is supposed to be 200 feet. In this case, the existing spacing between the streets on the north side of 7th is less than 400 feet. The offset is maximized by the proposed location of the intersection, but it is approximately between 43 and 55 feet closer than recommended. Transportation staff have considered this proposal and found it acceptable based on the circumstances.

Most access points access to this development will be from the extension of the "Local" street - Lakeridge Place NW. Access control (restriction) will be required

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to be dedicated along the entire West Circle Drive frontage and along the 7th Street NW frontage west of the Lakeridge Place intersection. Depending on the intensity of development of the commercial area, a right turn lane on 7th Street NW between Circle Drive and Lakeridge Place may be needed.

Sidewalks:

Public sidewalk would be required along both sides of the frontage of the extension of Lakeridge Place NW and pedestrian facilities along the entire frontage along both 7th Street NW and West Circle Drive would be required.

The trail ways within the townhome area of the site would have to be privately developed and maintained.

Drainage:

The majority of the site drainage would be directed to the north toward 7th Street NW. The applicant intends to participate in the regional stormwater management plan.

The GDP shows that the developer has catalogued the existing tree cover on the site suggesting they will be attempting to preserve as many quality trees as possible so hilltop grading will be reduced. The major grading will be along the Lakeridge Place extension where fills of 10+ feet will be necessary to provide safe road grades. The exemption for a "Substantial Land Alteration" permit is requested for this area.

Detailed grading and drainage plans will also be required when the property is platted or developed.

Wetlands:

There are no hydric soils mapped on this site and no wetlands identified on the National Wetland Inventory Maps.

Referral Comments:

Transportation Division, Public Works, Water Department, County Engineer, Park Department, Building Safety, GIS Division, Fire Dept., MnDOT: See attached. All other agencies responding had no comments or objections.

Report Attachments:

1. Referral comments (10 pages)
2. Location Map
3. 2002 Aerial Photo
4. Proposed GDP Map
5. GDP Narrative Submittal (2 pages)
6. Request for Substantial Land Alteration Exemption (3 pages)
7. Minutes of Neighborhood Meeting (2 pages)
8. LDM Excerpts Sections 62.1102, 62.1105 and 61.146 Applicable to Substantial Land Alterations

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Substantial Land Alteration:

The applicant is also requesting approval of land disturbing activities defined as Substantial Land Alteration according to Section 62.1101, B of the Rochester Zoning Ordinance and Land Development Manual. Section 62.1102 of the LDM allows the City to consider a request for excavation or substantial land alteration as part of a Type III application, such as a General Development Plan, subject to making findings established in Sections 62.1105 and 61.146 of the LDM.

- This development includes a proposal for grading work, which involves a grade change of 10-feet or more from the pre-existing grades. The attached map labeled SLA Map identifies the one area on the site where the existing grade is proposed to be altered by 10-foot or more. The area will need to be filled in order accommodate the public roadway connection. All of the material being excavated will remain on site. The grading work will be completed during development of the subdivision in a single phase taking approximately 4 weeks..

Sections 61.146, 62.1102 and 62.1105 of the LDM are attached.

Staff Suggested Findings:

If the City Council approves the proposed substantial land alteration, staff recommends the following findings to Sections 62.1105 and 61.146 of the Rochester Zoning Ordinance & Land Development Manual:

Staff suggests that the findings written for Section 62.1105 are adequate for the proposal except for the findings 13, 14 and 15. Staff suggests the following findings to number 13, 14 and 15 of Section 62.1105.

- 13) The Rochester Public Works Department will need to review and approve the grading and drainage plan for this work. This plan must accommodate permanent and interim erosion and sediment control.
- 14) Surety will need to be provided prior to commencement of grading activities on the property that guarantees the site will be fully restored after the completion of the excavation activity. The applicant will need to submit a Performance Bond in an amount determined by the City Public Works assuring that the site will be fully restored after completion of the excavation activity.
- 15) The grading and drainage plan will need to be approved by the Rochester Public Works Department prior to any grading on the property.

The Planning Staff would suggest the following findings for Section 61.146:

- 1) Not applicable
- 2) Not applicable
- 3) Not applicable
- 4) The Rochester Public Works Department will need to review and approve the grading and drainage plan for this work. This plan must accommodate permanent and interim erosion and sediment control.

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- 5) Not applicable
- 6) Not applicable
- 7) Not applicable

Staff Suggested Findings and Recommendation:

Paragraph 61.215 of the Rochester Zoning Ordinance and Land Development Manual lists the Criteria for approval of a general development plan.

- Criteria A. The proposed land uses are generally in accord with the adopted Comprehensive Plan and zoning map, or that the means for reconciling any differences have been addressed. A GDP may be processed simultaneously with a rezoning or plan amendment request.

The Rochester Urban Service Area Land Use Plan presently designates this property as suitable for "Low Density Residential". The proposed single-family detached (R-1) and one-family attached (R-1X townhome) development is consistent with the existing "Low Density" designation. A Land Use Plan Amendment to "Commercial" and a zoning district amendment to B-4 (General Commercial) are being considered concurrent with this request on the northwesterly 2.4 acres of the plan. If the plan is amended as requested, this criteria would be met. Also, if the commercial development were accommodated through a more restrictive zoning procedure not requiring a land use amendment, the plan would also meet this criteria.

- Criteria B. The proposed development, including its lot sizes, density, access and circulation are compatible with the existing and/or permissible future use of adjacent property.

The residential lot sizes for the proposed SFDs are the same or larger than the neighboring residential development. The proposed townhome development is at or below typical single family detached housing densities.

The access to the higher ordered streets, as controlled by the road authorities and recommended for improvement, is compatible with the existing adjacent properties. The circulation is improved for the adjacent properties by the public street connection of Lakeridge Place NW by providing an alternative access into the adjacent neighborhood. Although the Lakeridge Place/7th Street intersection is below recommended design offset standards, its location is supported by the various transportation departments as the best option available to provide access and improve traffic circulation. A specific design modification permit would have to be presented to the Council for consideration to allow the intersection location as proposed.

Private street medians must be kept out of the public street right of ways. This plan can be easily modified to conform to such a requirement.

The proposed "commercial" area could potentially be incompatible with the access characteristics of the property and the existing adjacent developments if a

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land use with a high peak hour demand were situated on the site creating traffic congestion and queuing problems at the intersection of 7th Street and Circle Drive. This issue will be specifically addressed in the action on the pending land use plan amendment and rezoning request to B-4 (General Commercial).

Criteria C. The mix of housing is consistent with adopted Land Use and Housing Plans.

Yes. See the comments under Criteria B.

Criteria D. The proposed plan makes provisions for planned capital improvements and streets reflected in the City of Rochester's current 6-Year Capital Improvement Program, adopted Thoroughfare Plan, the ROCOG Long-Range Transportation Plan, Official Maps, and any other public facilities plans adopted by the City. Street system improvements required to accommodate proposed land uses and projected background traffic are compatible with the existing uses and uses shown in the adopted Land Use Plan for the subject and adjacent properties.

The plan shows that 7th Street NW, the planned "collector", will have the required 80 feet of total right of way as suggested by the Thoroughfare Plan. The property will be subject to "Substandard Street Reconstruction" charges for future upgrades to 7th Street NW. Depending upon the intensity of commercial development that eventually gets approved for this site, a right hand turn lane may need to be installed in the 7th Street NW right of way. No other street improvements would be needed.

Criteria E. On and off-site public facilities are adequate, or will be adequate if the development is phased in, to serve the properties under consideration and will provide access to adjoining land in a manner that will allow development of those adjoining lands in accord with this ordinance.

1. Street system adequacy shall be based on the street system's ability to safely accommodate trips from existing and planned land uses on the existing and proposed street system without creating safety hazards, generating auto stacking that blocks driveways or intersections, or disrupting traffic flow on any street, as identified in the traffic impact report, if required by Section 61.523(C). Capacity from improvements in the first 3 years of the 6-year CIP shall be included in the assessment of adequacy.

Depending on projected traffic volumes from the undetermined commercial element of this plan, turn lanes on 7th Street NW may need to be constructed to accommodate this development. The street system at the intersection of 7th Street and West Circle Drive may be inadequate to adequately handle congestion and queuing associated with some uses permitted in the proposed B-4 zoning district.

2. Utilities are now available to directly serve the area of the proposed land use, or that the City of Rochester is planning for the extension of utilities to serve the area of the proposed development and such utilities are in the first three years of the City's current 6-Year Capital Improvements

Program, or that other arrangements (contractual, development agreement, performance bond, etc.) have been made to ensure that adequate utilities will be available concurrently with development. If needed utilities will not be available concurrent with the proposed development, the applicant for the development approval shall stipulate to a condition that no development will occur and no further development permit will be issued until concurrency has been evidenced.

Utilities can be extended to serve this property. Watermain looping will be required with the development of this site connecting the 3 existing locations where watermain are adjacent to the property. The height of floor elevations will be limited to 1090' MSL and homes over 1080' MSL will be required to have 1.5" water service lines to insure adequate water pressure.

3. The adequacy of other public facilities shall be based on the level of service standards in Section 64.130 and the proposed phasing plan for development.

Pedestrian facilities are required along the abutting road rights-of-way. These can be completed as part of the construction of the subdivision improvements or through pedestrian facility improvement agreements.

- Criteria F. The drainage, erosion, and construction in the area can be handled through normal engineering and construction practices, or that, at the time of land subdivision, a more detailed investigation of these matters will be provided to solve unusual problems that have been identified.

Detailed grading and drainage plans will be required prior to development and storm water management will need to be provided for this property.

The exemption to the "Substantial Land Alteration" permit can reasonably be granted as recommended in the suggested findings provided.

- Criteria G. The lot, block, and street layout for all development and the lot density for residential development are consistent with the subdivision design standards contained in Section 64.100 and compatible with existing and planned development of adjacent parcels.

The proposal is consistent with the referenced subdivision design standards subject to the granting of the Design Modification to the intersection separation of 200 feet (Section 64.224) for the Lakeridge Place NW/7th Street NW and the 34th Ave Ct NW and East Frontage Road intersections.

The residential portion of this proposal is compatible with the existing and planned development of adjacent parcels. The commercial portion cannot be found to be compatible because of lack of any specific commercial land use limitations. The proposed B-4 zone allows intensity and types of uses incompatible to the adjacent parcels.

Summary & Recommendation:

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The applicant has filed petitions to amend the Rochester Urban Service Area Land Use Plan to designate the northwesterly portion of the lot for "commercial" uses and to rezone it to the B-4 zoning district. The planning department does not recommend findings to support the requested B-4 zone, however If the CPZC and Council approve the Land Use Plan Amendment and rezoning as requested or with modifications, staff would recommend approval of the GDP with the following conditions or modifications:

- 1. Application and receipt of the needed Design Modification to Section 64.224 Intersections;*
- 2. Receipt of the requested exemption to the Substantial Land Alteration conditional use permit requirement;*
- 3. Show existing or future access control provisions along the frontage of 7th Street NW from Lakeridge Place NW west to Circle Drive. Show the first permitted driveway opening into the commercial area from Lakeridge Place meeting the standards of Section 64.143 (150 back from 7th Street).*
- 4. Indicate on the plan the potential need for a right turn lane on 7th Street NW into Lakeridge Place NW;*
- 5. Move the median island in the private road serving the townhomes southerly to a point outside the public right of way for Lakeridge Place NW;*
- 6. Show on the plan the required pedestrian facilities along the public roads;*
- 7. Show specifically on the face of the plan in the proposed "commercial" area the final zoning district approved by the Council.*

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TRANSPORTATION STAFF
DEVELOPMENT APPLICATIONS REVIEW DATABASE - 2003

Jurisdiction	Application	Comments
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November 2003

City		
City		

October 2003

City		
City		

SEPTEMBER 2003

* City	GDP # 217 and Land Use Plan Amendments #03-19 Oakridge Manor	<ul style="list-style-type: none"> • Average daily traffic on West Circle Drive is 16,000 and projected to be 26,000 in 2025, between 7th Street NW and TH 14 interchange • Average daily traffic on 7th Street NW between West Circle Drive and Lake Street NW is 2600 and projected to be 6,600 in 2025. • The Long Range Thoroughfare Plan identifies West Circle Drive as an access control Expressway. The entire length of west side of the proposed development along the West Circle Drive should be access control. • Considering roughly 76,000 square feet of general office and specialty retail use on the proposed commercial site, we will have 2000 average daily trips (50% inbound and 50% outbound). Altogether 1100 trips will be generated by the single-family houses in Lake ridge Lane, Lakeridge Drive including the proposed 44 town homes in Oakridge Manor (50% inbound and 50% outbound). • Using Oregon Criteria for Right Turning Lane, the development will require right turn between the West Circle Drive and the proposed public road which serve Lakeridge LN and Lakeridge Drive along with the proposed commercial use and 44 town homes. • The combined impact of additional traffic generated by the proposed commercial and residential development along with the expected traffic growth on West Circle Drive may create significant congestion and queuing problems at the intersection of Circle Drive and 7th Street NW. Therefore, the proposed public road should be properly spaced to handle the anticipated staking and queuing problem due to the proposed development. • It is our determination that the proposed commercial area facing West Circle Drive should get access from the proposed public street. This access point to the commercial development off the proposed public road should meet the Access Spacing Standard mentioned under section 64.143 of Land Development Manual. • Additional traffic operation review may need to be provided at the time of site plan submittal for the future commercial development.
City	Amendments	<ul style="list-style-type: none"> • Rezoning Traffic Analysis was done for Fairway Woods in 1999. As

ROCHESTER

— Minnesota —

TO: Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

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DEPARTMENT OF PUBLIC
WORKS
201 4th Street SE Room 108
Rochester, MN 55904-3740
507-287-7800
FAX – 507-281-6216

FROM: Mark E. Baker

DATE: 9/24/03

The Department of Public Works has reviewed the application for General Development Plan #217 for the proposed Oakridge Manor development. The following are Public Works comments on this request:

1. Public Works has worked with the Owner's consultant regarding the public road access location off of 7th St NW. Public Works supports approval of the location as shown on the GDP, though approval is subject to Council approval of a Design Modification..
2. Prior to Final Plat submittal, the applicant shall enter into a Development Agreement with the City that outlines the obligations of the applicant relating to, but not limited to, substandard street reconstruction charges, stormwater management, park dedication, traffic improvements, pedestrian facilities, right-of-way dedication, access and extension of utilities for adjacent properties, and contributions for public infrastructure.
3. Grading & Drainage Plan approval is required prior to development, and a Stormwater Management charge will apply for the benefit of participation in the City's Storm Water Management Plan (SWMP) for all areas of the Property that do not drain to a privately constructed detention facility that has been approved by the City to serve this Property.
4. Pedestrian facilities are required at the Owner's expense along both sides of all new public roads within this development, and along the entire frontage of the Property abutting 7th St NW & West Circle Dr. Specific obligations will be addressed in the Development Agreement.
5. Dedication of Controlled access will be required along the entire frontage of West Circle Dr NW, the entire proposed commercial frontage of 7th St NW, and extending south from 7th St NW along the west line of Lakeridge Ln NW, a distance to be determined based on the proposed use(s) within the commercial area..

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ROCHESTER

— Minnesota —

TO: Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

DEPARTMENT OF PUBLIC
WORKS
201 4th Street SE Room 108
Rochester, MN 55904-3740
507-287-7800
FAX – 507-281-6216

FROM: Mark E. Baker

6. The trail system indicated within the common area of the townhome portion of this development will be privately built and maintained and should be labeled as private on the GDP.
7. Execution of a City-Owner Contract will be required prior to construction of each phase of development, for all public infrastructure to serve this property.
8. Specific routing of utilities will be addressed through the platting process and plan review.
9. The proposed median island on the private road shall be outside the public right-of-way.

Charges/fees applicable to the development of this property will be addressed in the Development Agreement and City-Owner Contract(s) for the Property and include:

- ❖ Sewer Availability Charge (SAC) @ \$1851.12 per developable acre [minus 1.0 acre previously paid]
- ❖ Water Availability Charge (WAC) @ \$1851.12 per developable acre
- ❖ Sanitary Sewer Connection Charge @ \$46.60 per foot of frontage [minus 80 feet previously paid] along the entire frontage of 7th St NW.
- ❖ Watermain Connection Charge for J8650 @ approx. \$20.48 per foot plus 8.0 % for 10 years from 2/2/81 = approx. \$36.86 per foot of frontage along 7th St NW
- ❖ Substandard Street Reconstruction along the entire frontage of 7th St NW based on the rate applicable to the type of development.
- ❖ Charges – To Be Determined in the Development Agreement
- ❖ Storm Water Management – To Be Determined at the time of Grading Plan approval, for areas that do not drain to a privately constructed on-site detention facility.
- ❖ First Seal Coat Charge @ \$0.51 per square foot of public road frontage
- ❖ Street Signs, as determined by the City Engineer



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September 18, 2003

Rochester-Olmsted
CONSOLIDATED PLANNING DEPARTMENT
2122 Campus Drive SE
Rochester, MN 55904-7996

REFERENCE: General Development Plan #217 and Substantial Land Alteration by Forbrook-Bigelow Development to be known as Oakridge Manor.

Dear Ms. Garness:

Our review of the referenced general development plan is complete and our comments follow:

1. This property is within the Main Level Water System Area, which is available within 7th St NW, at the end of Lakeridge Pl NW and stubbed out between Lots 5 & 6, Block 2, Manorwood Lakes Third. All 3 of these locations must be connected into to provide adequate flows for fire protection of this area along with the site elevation restriction noted in comment #2.
2. The highest MFF elevation allowed in this area will be 1090 to provide for the minimum required static water pressures (El. 1090 = 33-37 PSI range).
3. To minimize pressure losses within the homes during high demand periods, all services shall be sized at 1 1/2" where the MFF elevations exceed elevation 1080.
4. We will work with the applicant's engineering firm to develop the necessary water system layout to serve this area.

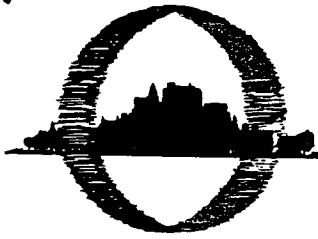
Please contact us at 507-280-1600 if you have questions.

Very truly yours,

Donn Richardson
Water

C: Doug Rovang, RPU
Mike Engle, RPU
Mark Baker, City Public Works
Vance Swisher, Fire Prevention
Gale Mount, Building & Safety
McGhie & Betts, Inc.
Forbrook-Bigelow Development

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COUNTY OF
Olmsted

PUBLIC WORKS DEPARTMENT
2122 CAMPUS DR SE - SUITE 200
ROCHESTER MN 55904-4744
www.olmstedpublicworks.com
507.285.8231

September 15, 2003

Jennifer Garness
Planning Department

Dear Jennifer:

The Public Works Department has reviewed General Development Plan #217
(Oakridge Manor by Forbrook-Bigelow Development) and has the following comment:

- ***Access shall be from local street and not CSAH 22.***

Sincerely,

Michael Sheehan
County Engineer

MS/tls



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AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

Administration Building Maintenance Surveying and Mapping Engineering Highway Maintenance Parks & Agriculture Solid Waste

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ROCHESTER PARK AND RECREATION DEPARTMENT

MEMORANDUM

DATE: September 15, 2003

TO: Jennifer Garness
Planning

SUBJECT: Oakridge Manor
GDP #217

Parkland dedication for the proposed development is estimated to be 1.07 acres and should be in the form of cash in lieu of land.

The trail system identified on the GDP is assumed to be privately owned.

RECEIVED
SEP 25 2003

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**Rochester Building
Safety Department**

Memo

To: Jennifer Gamess, Planning Department

From: Kenneth Heppelmann

CC: Gary Schick, Plumbing Inspector
Mark Sparks, Electrical Inspector
Forbrook-Bigelow Development
McGhie & Betts, Inc.

Date: September 19, 2003

Re: General Development Plan #217 to be known as Oakridge Manor by Forbrook-Bigelow Development. The applicant is proposing to develop the property with commercial and single family residential uses (townhomes and single family detached dwellings)

The above referenced development appears to indicate new construction that is regulated under the Building Code and will require building permits. Complete plans and specifications are required to be submitted for a building permits prior to construction.

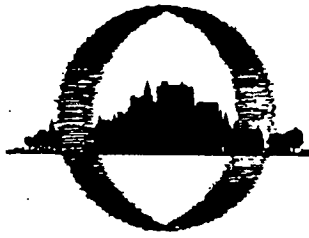
The proposed construction appears to consist of attached single-family dwellings (townhomes) on separate lots with property lines between the units. Please verify the following items:

- Separate utility services (i.e. sewer, water, gas, electric, etc.) are required to be provided to each dwelling unit. The utilities are not permitted to encroach onto or through the adjacent lots.
- The dwelling units are required to be separated with fire resistive rated wall assemblies in accordance with the 2000 IRC, Section 321.2.
- The fire resistive rating of exterior walls, and projections from such walls, with a fire separation distance of less than three feet is required to comply with IRC Section 302.1.

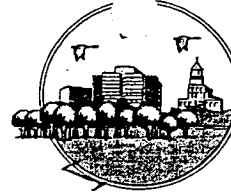
Commercial type structures constructed in the commercial area will fall under the requirements of the 2000 IBC.

Please let me know if you have any questions or concerns.

Thank you



COUNTY OF
Olmsted



Rochester-Olmsted Planning Department
GIS/Addressing Division
2122 Campus Drive SE
Rochester, MN 55904-4744
Phone: (507) 285-8232
Fax: (507) 287-2275

GENERAL DEVELOPMENT PLAN

REFERRAL RESPONSE

DATE: September 24, 2003

TO: Jennifer Garness

FROM: Randy Growden
GIS/Addressing Staff
Rochester-Olmsted County
Planning Department

CC:

**RE: OAKRIDGE MANOR
GENERAL DEVELOPMENT PLAN #217**

A review of the GDP has turned up the following ROADWAY or ADDRESS related issues:

1. *The official designation of all public and/or private roadways must have approval of the GIS/E911 Addressing Staff.*
2. *Supplementary Address Signage and the incurred costs may be required to eliminate complicated or confusing addressing situations. This signage must be coordinated with the GIS/ E-911 Addressing Staff in cooperation with the Rochester Fire Department. If required, this signage will be determined at the time of address review.*

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The hand to reach for...
DAVID A. KAPLER
Fire Chief

DATE: September 26, 2003

TO: Jennifer Garness, Planning

FROM: R. Vance Swisher, Fire Prevention Specialist

SUBJ: General Development Plan #217 to be known as Oakridge Manor by Forbrook-Bigelow Development. The applicant is proposing to develop the property with commercial and single family residential uses.

With regard to the above noted project plan, the fire department has the following requirements:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.
 2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.
 - a) All roads shall have a unobstructed width of not less than 20 feet and a vertical clearance of not less than 13 feet 6 inches.
 - b) Streets less than 36 feet in width shall be posted "No Parking" on one side of the street. Streets less than 28 feet in width shall be posed "No Parking" on both sides of the street.
 - c) Cul-de-sacs less than 96 feet in diameter shall be posted "No Parking".
 3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
 4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.
- c: Donn Richardson, RPU, Water Division
Mark Baker, Rochester Public Works
Forbrook - Bigelow Development
McGhie & Betts, Inc.

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Minnesota Department of Transportation

Minnesota Department of Transportation - District 6

Mail Stop 060

2900 48th Street N.W.

Rochester, MN 55901-5848

Office Tel: 507-280-2913

Fax: 507-285-7355

E-mail: dale.maul@dot.state.mn.us

September 22, 2003

Jennifer Garness

Rochester-Olmsted Planning Department

2122 Campus Drive SE - Suite 100

Rochester, MN 55904

RE: Final Plat #02-21 to be known as Stonebridge by Exemplar, Inc. Money Purchase Pension Plan. The Plat proposes to subdivide approximately 26.37 acres of land into 68 lots for single family development and 4 outlots. The property is located along the west side of 36th Avenue SE (County Road 109) and south of College View Road (County Road 9).
US Highway 14, CS 5503

General Development Plan #217 to be known as Oakridge Manor by Forbrook-Bigelow Development. The applicant is proposing to develop the property with commercial and single family residential uses. The property is located along the south side of 7th Street NW and along the east side of West Circle Drive and north of Lake Street NW.
US Highway 14, CS 5503

Land Use Plan Amendment Petition #03-05 and Zoning District Amendment #03-19 by Forbrook-Bigelow Development to amend the Land Use Plan designation from "Low Density Residential" to "Commercial" on approximately 2.4 acres. The property is located along the south side of 7th Street NW and along the east side of West Circle Drive and north of Lake Street NW.
US Highway 14, CS 5501

Amendment to General Development Plan #140 known as Fairway Ridge by Silvercrest Properties. The applicant is proposing to amend the approved GDP by changing the type of uses on the property. The property is located along the east side of West Circle Drive, south of Country Club Road and north of the Fox Croft Development.
US Highway 14, CS 5501

Orderly Annexation Petition #03-22 by Joel Bigelow and Sons Enterprise, Inc. to annex approximately 14 acres of land located along the south side of 41st Street NW, along the east side of West Circle Drive NW and north of 40th Avenue NW.
US Highway 52, CS 5508

Dear Ms. Garness:

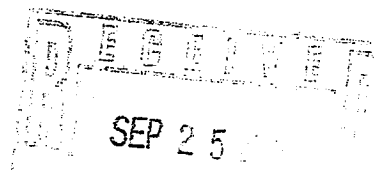
The Minnesota Department of Transportation (Mn/DOT) has reviewed the above proposals. Mn/DOT recommends with these and other proposals that the City of Rochester develop an internal system of collector streets to manage future growth along the US Highway 14 Corridor to manage the impacts of these developments for Mn/DOT roadways.

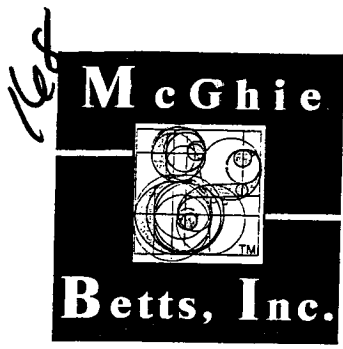
Thank you for keeping Mn/DOT informed. Questions may be directed to Fred Sandal, Principal Planner, at (507) 285-7369 or Debbie Persoon-Bement, Plan and Plat Coordinator, at (507) 281-7777.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dale E. Maul'.

Dale E. Maul
Planning Director





Rochester
Minnesota

Land Surveying

Urban - Land Planning

Consulting - Civil Engineering

Geotechnical Engineering

Construction Material Testing

Landscape Architecture

GENERAL DEVELOPMENT PLAN OAKRIDGE MANOR

Our client, Forbrook-Bigelow Development proposes a zone change from R-1 to R-1X on a 13.3-acre parcel and a zone change from R-1 to B-4 on a 2.4-acre parcel on the corner.

The following is a written summary of the General Development Plan in accordance with Appendix B E-3.

- a) Topographic or soils conditions which, in the estimation of the applicant, may create potential problems in street, drainage, public utilities or building design and construction, and how these problems will be investigated further or engineered to overcome the limitations.

There are no topographic or soil conditions on the site which create any potential problems for design or construction of any structures or roads.

According to the National Wetland Inventory Maps there are no wetlands located on the site.

- b) Storm drainage problems which, in the estimation of the applicant, may result in the increase of normal costs.

The storm drainage does not appear to cause problems that will result in the increase of normal costs.

- c) Identification of potential off-site drainage problems.

The applicant intends to participate in the city's regional storm water management plan. There should be no problem with off-site drainage created by this development.

- d) Availability of utilities to serve the area under construction.

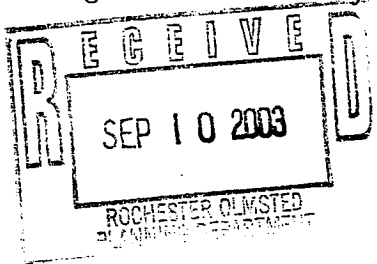
This site will be served with the existing utilities that are adjacent to the site now.

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- e) Identification of possible erosion problems, which may arise in the estimation of the applicant.

No erosion control problems are estimated with this site. However, at the time of any future construction, erosion control measures will be incorporated into the grading plan and final design if needed.

- f) A general statement as to the possible phasing of any development activity to occur on the property under the control of the applicant.

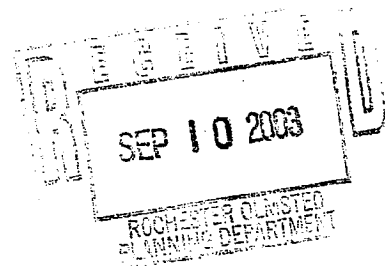
This project will be phased into three areas:

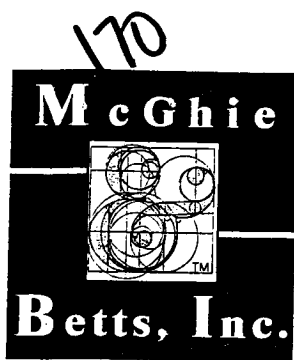
❖ *Commercial*

❖ *Townhomes*

❖ *Single family*

The timing of how the phasing will occur is unknown at this time.





Rochester
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Land Surveying

Urban - Land Planning

Consulting - Civil Engineering

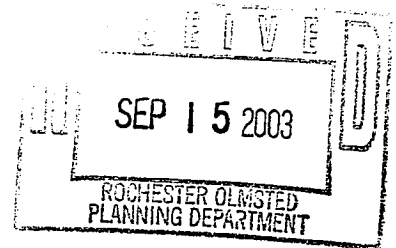
Geotechnical Engineering

Construction Material Testing

Landscape Architecture

September 15, 2003

Mr. Brent Svenby
Consolidated Planning Department
2122 Campus Drive
Rochester, MN 55904



RE: Exemption from Section 62.1101.2 (a) for Oak Ridge Manor

Dear Mr. Svenby:

Section 62.1101 of the Rochester Land Development Manual and Zoning Ordinance contains new standards for substantial land alteration projects. The grading of the Oak Ridge Manor site will result in exceeding a 10-foot vertical fill in the northeast corner of the site. This project meets the definition of Section 62.1101.2.a.1(d) where the cut/fill involves a grade change of 10-feet or more from the pre-existing grades. The enclosed grading plan indicates the cut and fill areas on the site. The maximum fill would be approximately 18' and occur in the area just west of Lakeridge Lane NW.

Section 62.1102.1.F provides for an exemption provided there are sufficient findings made as contained in 62.1105. The following are suggested findings in support of the request:

Section 62.1105(1-15).

1. The activity necessary to grade the portions in excess of 10-foot vertical cut/fill will not result in unstable slopes or unsafe access. The slopes on the site will be a maximum of 3:1 and only a small portion of the grading would involve a 10-foot fill.
2. The environmental impacts of grading on this site to adjacent properties will be minimal.
3. There is access to the site from the north. The fill needed will be minimal which will minimize the impacts of the surrounding roads.
4. The additional grading will not adversely affect air quality, the ground water, or surface water quality.
5. The natural topography of the area will be re-graded to provide adequate slopes for single - family dwellings, townhomes and commercial uses for this development.
6. The grading is compatible with the proposed adjacent neighborhood developments.
7. The grading will be confined to the Oak Ridge Manor and the Lakeridge Lane NW right-of-way. We are working with the adjacent homeowners to minimize the impacts.
8. The grading activity will take place in one phase taking approximately four weeks. There are homes in the immediate area that will be visually affected by the grading activity for only a short time during the grading process.

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9. The grading plan will provide for proper restoration stabilization in accordance with the codes for the City of Rochester.
10. The grading will not result in negative impacts on the drainage patterns. The grading of the site is such that run-off is directed to appropriate locations in the street and handled through the City storm water plan.
11. The area of grading does not contain sinkholes and will not affect the groundwater or the subsurface water quality once restoration and stabilization is completed. There are no wetlands on site.
12. The grading of the site will take place in one phase taking approximately four weeks. This time frame is appropriate for the size and location of this activity.
13. Permanent and interim (during construction) erosion/sedimentation control will be provided for in the grading plan. The city will review and approve this grading plan.
14. A performance and payment bond is required for all work associated with the construction of the public improvements. This bond will be submitted with the owner/contractor.
15. This development will comply with the standards in the Land Development Manual and on file with Public Works.

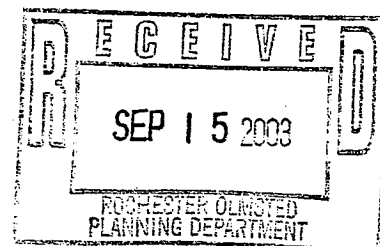
Very truly yours,

McGHIE & BETTS INC.

Andrew Masterpole, ASLA

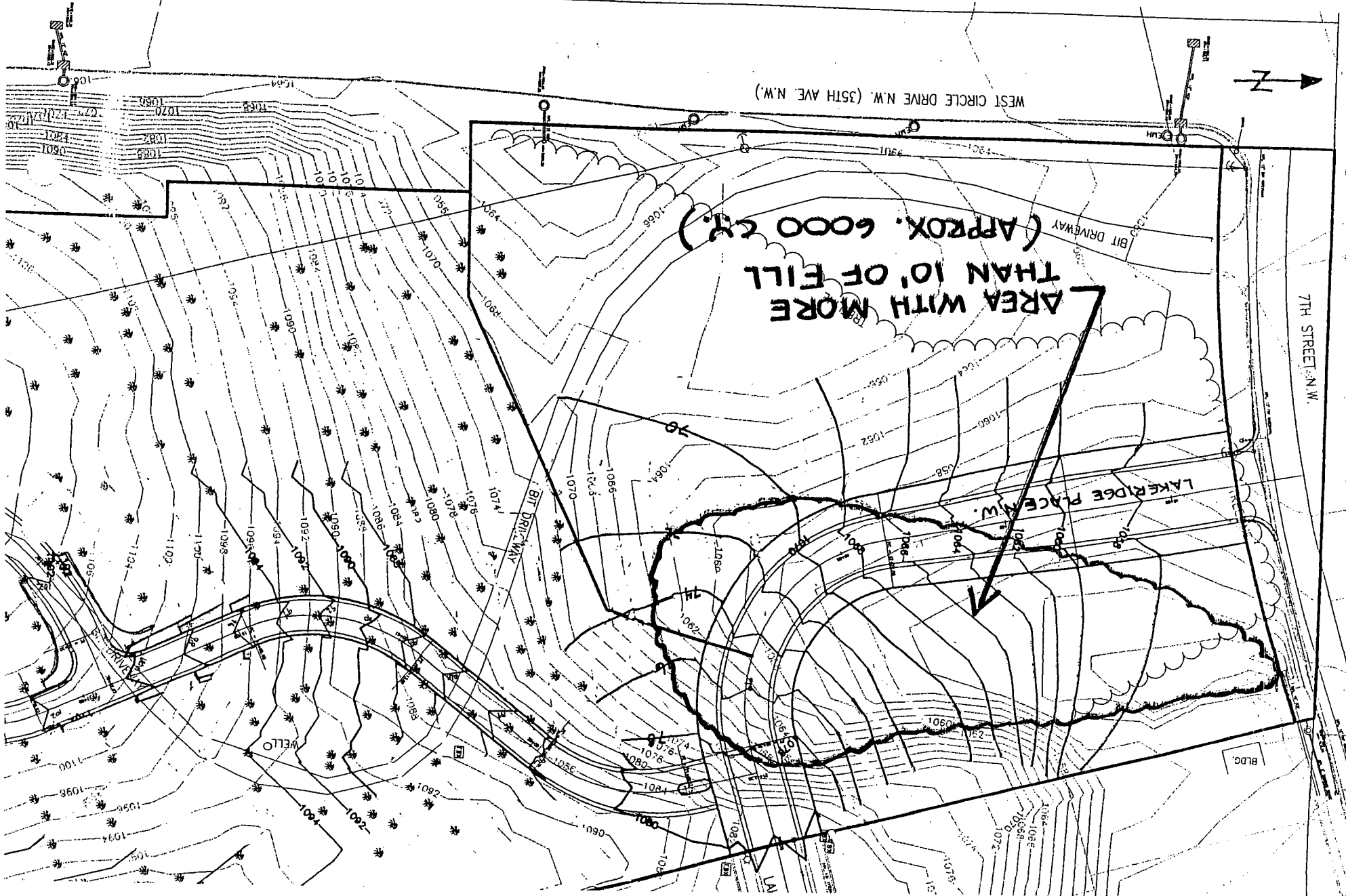
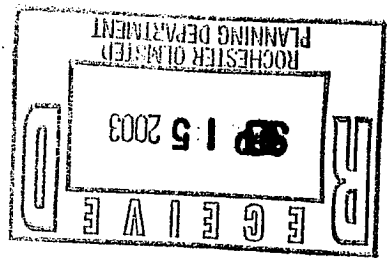
AJM/b

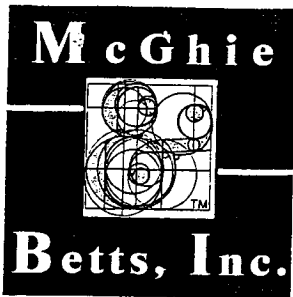
Pc: Ward Opitz
Chuck Forbrook



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OAK RIDGE MANOR S.L.A. LOCATION MAP





Rochester
Minnesota

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MINUTES OF THE
NEIGHBORHOOD INFORMATIONAL MEETING
FOR
OAKRIDGE MANOR
ON AUGUST 20, 2003, 7:00 PM
AT SHOREWOOD SENIOR HOUSING CAMPUS
ROCHESTER, MINNESOTA

In Attendance:

See attached list.

Purpose:

The purpose of the meeting was to introduce the proposed project to the neighborhood and answer questions and document concerns or issues that may need further investigation.

General Discussion:

Andy Masterpole introduced the 16.8 acre parcel for Forbrook-Bigelow Development that is to be called Oakridge Manor. The proposed project is to be a townhome and commercial development. Ward Opitz, Tony Bigelow, and Mike Paradise of Joel Bigelow & Sons Enterprises were also present and a part of the discussion.

The proposed commercial uses would be limited to the lower area along 7th Street NW and West Circle Drive. A land use amendment and a zone change from R-1 to B-4 is being planned.

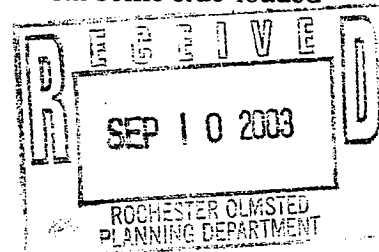
The potential commercial uses discussed were:

- Bank
- Convenience Store
- Office Building
- Restaurant
- Retail Store
- Etc.

The townhome area would consist of approximately 44 units total (22 duplex buildings). This area would need to be rezoned from R-1 to R-1X.

The intent was to preserve as many of the existing oak trees as possible. The developer hired a forester and has surveyed/rated all the trees on the site.

The buildings are also intended to be layed out on an angle and with some side-loaded garages so as to de-emphasize the garage.





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Questions and Answers:

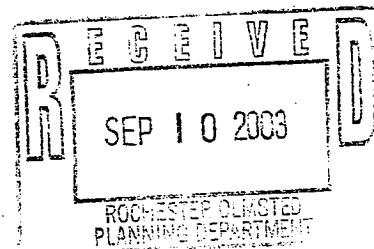
- Q. Will there be rental units on this site?
A. *No.*
- Q. What is the price range?
A. *As of now, it is not known, but possibly over \$250,000.*
- Q. Is there an agreement that no commercial and multi-family will be between the lake and Circle Drive?
A. *We are not aware of any such agreement.*
- Q. How will water be brought into the development? What about the water pressure?
A. *Individual booster pumps will have to be added to aid in the water pressure.*
- Q. What will be the size of the incoming watermain?
A. *8" diameter.*
- Q. Why is there commercial on the proposed site?
A. *The developer feels because of its location next to two major streets and also the needed fill would eliminate all the existing trees.*
- Q. Do you think the .8 acres should be commercial?
A. *The developer feels it should be. It also depends on the room needed for bufferyards and grading that may make it too small for commercial uses.*
- Q. What are the plans for the townhomes?
A. *They are working with an architect on a design that fits the topography.*
- Q. Will this development be detrimental to the neighbors water pressure?
A. *Their water pressure will be the same – will not affect it for better or worse.*

Comments:

The neighbors were pleased that the developer intends to preserve as many of the existing trees as possible.

There was opposition from some of the neighbors regarding the commercial part of the development, especially the area directly adjacent the existing single family lots.

The neighbors indicated that they would not like to see a convenience store at the corner of the commercial lot.



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- c) A substantial land alteration (see above) designed to occur for more than 48 months.
- 2) Sand and gravel excavation activities shall be permitted only in the following zoning districts:
 - a) Residential Districts
 - b) B-1 Restricted Commercial
 - c) B-4 General Commercial
 - d) B-5 Neighborhood Commercial
 - e) M-1 Mixed Commercial-Industrial
 - f) M-2 Industrial
 - g) Agricultural

pursuant to the Type III, Phase II conditional use permit (CUP) process and standards and the site location criteria, exterior storage regulations and reclamation standards as set forth in this code.

62.1102 EXEMPT ACTIVITIES:

- 1) Except as required for a reclamation plan, which may be imposed on any of the following activities as part of any required City permit or approval process, the provisions of these Sections 62.1100 through 62.1113 shall not apply to the following activities:
 - a) The land area included within 15' or as reasonably defined by the City Engineer to allow soil stabilization of the identified boundaries of a building submitted for a building footing and foundation permit.
 - b) Stormwater management facilities or other public infrastructure approved by the City.
 - c) Excavations or blasting for wells, tunnels or utilities that have received all necessary governmental approvals.
 - d) Refuse disposal sites controlled by other applicable City, State or federal regulations.
 - e) On-going cemetery (burial) operations.
 - f) Development activity for which a general development plan, subdivision permit or other Type III approval has resulted in the review of the proposed cut and fill work and for which a grading permit is required. To qualify for this exemption, the Council shall have made the findings established in Section 62.1105.
 - g) Uses in the Central Development Core (CDC) District.

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- 13) To ensure that all permitted excavation activities are compatible with the South Zumbro Water Quality Plan and the Stormwater Management Plan or adopted City drainage or stormwater policies; and
 - 14) To ensure that all permitted excavation activities are compatible with all current and applicable neighborhood plans, area or regional plans, public facility master plans, City policies and the City's budget and Capital Improvements Program.

62.1104 PROCEDURES:

1) Conditional Use Permit Required

All excavation activities as defined herein shall be considered "Conditional Uses" in all of the zoning districts in which they are listed, and requests for approval of such activities shall be processed pursuant to the Type III, Phase II hearing process (public hearing with both the Planning & Zoning Commission and City Council) as set forth in Section 61.140 *et seq.*

2) Other Required Permits

Excavation activities, as defined herein, include a broad range of land-disturbance activities, some of which may require additional City permits and many of which require other local, State and federal permits. It is the sole responsibility of the Applicant to secure any additional permits required by other governmental entities for the proposed use. The City may, at its sole discretion, require that the Applicant obtain all other required permits prior to applying for the required City conditional use permit and to require the Applicant to submit evidence of such other permits to the City as part of the conditional use permit application.

3) Other Requirements

Applicants are not required to submit subdivision plans/plats for "excavation activities" nor are they required to obtain preliminary or final plat approval; provided, however, that if "development" is proposed, subdivision and platting shall be required in accordance with City regulations. [See § 62.1110, Permits, *infra.*]

62.1105 FINDINGS NECESSARY FOR ISSUANCE OF CONDITIONAL USE PERMITS:

The City shall approve a conditional use permit authorizing an excavation activity only if all of the following findings with respect to the proposed activity are made, in addition to those listed in Section 61.146:

- 1) The activity will not result in a danger to life or property due to (1) steep or unstable slopes, (2) unsafe access to the property, (3) excessive traffic, or (4) proximity to existing or planned residential areas, parks and roadways;
- 2) Visual, noise, dust, and/or excessive on- or off-site environmental impacts on public parks, roadways and residential areas can be adequately mitigated by

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the Applicant and a fully detailed plan is submitted by the Applicant to demonstrate the mitigation methods to be used, the cost of such mitigation, the source of funds for such mitigation, and adequate legal assurance that all of such mitigation activities are carried out;

- 3) The use of trucks and heavy equipment will not adversely impact the safety and maintenance of public roads providing access to the site, or such impacts will be mitigated;
- 4) The proposed use will not adversely affect air quality or ground water or surface water quality;
- 5) The proposed use will not adversely affect the scenic quality of Rochester or the natural landscapes, environment, wildlife and wildlife habitat; or if such effects are anticipated to occur, the reclamation plan provides for adequate restoration of the site following completion of the excavation activity;
- 6) The activity will be compatible with existing development and development anticipated in the future, including other uses as shown in the Comprehensive Plan, including but not limited to: patterns of land use, recreational uses, existing or planned development, public facilities, open space resources and other natural resources;
- 7) The activity will not unduly affect the use and enjoyment of adjacent properties;
- 8) The site plan provides for adequate buffers and screening year-round from unsightly features of the excavation operation;
- 9) The reclamation plan provides for adequate and appropriate restoration and stabilization of cut and fill areas;
- 10) The excavation activity will not result in negative impacts on drainage patterns or stormwater management facilities;
- 11) The proposed activity will minimize impacts on sinkholes, wetlands and other natural features affecting ground water or surface water quality;
- 12) The intensity and the anticipated duration of the proposed excavation activity is appropriate for the size and location of the activity;
- 13) Permanent and interim erosion and sediment control plans have been approved by the City;
- 14) Surety has been provided that guarantees the site will be fully restored, after completion of the excavation activity, to a safe condition, and one that permits reuse of the site in a manner compatible with the Comprehensive Plan, neighborhood plans, the Land Use Plan and applicable City policies.
- 15) The proposed activity complies with the requirements of the adopted building code.

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61.145 **Matters Under Consideration:** The review of a conditional use is necessary to insure that it will not be of detriment to and is designed to be compatible with land uses and the area surrounding its location; and that it is consistent with the objectives and purposes of this ordinance and the comprehensive plan.

61.146 **Standards for Conditional Uses:** The zoning administrator, Commission, or Council shall approve a development permit authorizing a conditional use unless one or more of the following findings with respect to the proposed development is made:

- 1) provisions for vehicular loading, unloading, parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets and ways will create hazards to safety, or will impose a significant burden upon public facilities.
- 2) The intensity, location, operation, or height of proposed buildings and structures will be detrimental to other private development in the neighborhood or will impose undue burdens on the sewers, sanitary and storm drains, water or similar public facilities.
- 3) The provision for on-site bufferyards and landscaping does not provide adequate protection to neighboring properties from detrimental features of the development.
- 4) The site plan fails to provide for the soil erosion and drainage problems that may be created by the development.
- 5) The provisions for exterior lighting create undue hazards to motorists traveling on adjacent public streets or are inadequate for the safety of occupants or users of the site or such provisions damage the value and diminish the usability of adjacent properties.
- 6) The proposed development will create undue fire safety hazards by not providing adequate access to the site, or to the buildings on the site, for emergency vehicles.
- 7) In cases where a Phase I plan has been approved, there is a substantial change in the Phase II site plan from the approved Phase I site plan, such that the revised plans will not meet the standards provided by this paragraph.
- 8) The proposed conditional use does not comply with all the standards applying to permitted uses within the underlying zoning district, or with standards specifically applicable to the type of conditional use under consideration, or with specific ordinance standards dealing with matters such as signs which are part of the proposed development, and a variance to allow such deviation has not been secured by the applicant.

61.147 **Conditions on Approval:** In considering an application for a development permit to allow a Conditional Use, the designated hearing body shall consider and may impose modifications or conditions to the extent that such modifications or conditions are necessary to insure compliance with the criteria of Paragraph 61.146.

61.148 **Staff Authorized Changes to Approved Conditional Use Permits:** It is the intent to permit the zoning administrator to authorize minor, routine changes to approved conditional use permits if necessitated by engineering factors, changing economic